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THUMS Long Beach Company

16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

17 **COUNTY OF SAN DIEGO**

19 Coordination Proceeding Special Title  
20 (Rule 1550(b))

21 NATURAL GAS ANTI-TRUST CASES I, II, III  
& IV

22 [This Document Relates to The Southern  
23 California Cases Only]

Case No. JCCP 4221-00000

The Honorable Ronald S. Prager  
Coordination Trial Judge

**JOINT STIPULATION RE DISCOVERY  
BETWEEN PLAINTIFF THUMS LONG  
BEACH COMPANY AND THE SEMPRA  
DEFENDANTS**

**F I L E D**

Clerk of the Superior Court

JUL 27 2005

By: K SANDOVAL, Deputy

**JUSTICELINK**

**FILING ID**

# 6347715

1 WHEREAS, Plaintiff THUMS Long Beach Company ("THUMS") first joined these  
2 coordinated proceedings in December 2004 and received its first round of discovery requests in these  
3 coordinated proceedings in January 2005;

4 WHEREAS, while discovery as to Plaintiff THUMS is still ongoing, Defendants Sempra  
5 Energy, Southern California Gas Company and San Diego Gas & Electric Company (the "Sempra  
6 Defendants") are busy preparing for the first trial in this coordinated proceeding, which is currently  
7 set for September 2, 2005 ("Phase I Trial");

8 WHEREAS, the parties agree that the Phase I Trial will not involve Plaintiff THUMS and that  
9 any further discovery issues as to THUMS can be addressed after the Phase I Trial, if necessary;

10 WHEREAS, a discovery stay as to Plaintiff THUMS will allow the Sempra Defendants to  
11 better prepare for the Phase I Trial; and

12 WHEREAS, the Phase I Trial may even eliminate the need for further discovery as to Plaintiff  
13 THUMS;

14 NOW THEREFORE, the undersigned counsel for the Sempra Defendants and Plaintiff  
15 THUMS hereby stipulate that:

16 1. All discovery between Plaintiff THUMS and the Sempra Defendants shall be stayed  
17 until December 31, 2005 at which time the parties will assess the progress of the Phase I Trial and the  
18 need for further discovery as to Plaintiff THUMS.

19 2. All discovery deadlines shall be tolled until December 31, 2005 at which time the  
20 parties will assess the progress of the Phase I Trial and the need for further discovery as to Plaintiff  
21 THUMS.

22 3. At the request of the Sempra Defendants, THUMS will make the following witnesses  
23 available for deposition at the offices of Gibson, Dunn & Crutcher, LLP, 333 South Grand Ave., Los  
24 Angeles, CA 90071: Fred Boepple, Charlie Plant, Craig Winton, Linda Reeser, Mike Daly, Rick Van  
25 Eyk, Rey Navarro, and any other witnesses necessary for the continuation of the "person most  
26 qualified" deposition notice, dated January 24, 2005. These witnesses will be made available within  
27 a reasonable time after the Sempra Defendants' request.

28 ///

1 4. The parties reserve the right to conduct further discovery, as necessary.

2  
3 DATED: July \_\_, 2005

QUINN EMANUEL URQUHART  
OLIVER & HEDGES, LLP

CHRISTOPHER TAYBACK  
RYAN G. BAKER

7 By: \_\_\_\_\_  
8 Ryan G. Baker

9 Attorneys for Plaintiff THUMS LONG BEACH  
COMPANY

10 DATED: July \_\_, 2005

11 GIBSON, DUNN & CRUTCHER LLP  
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17 By: \_\_\_\_\_  
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19 Attorneys for Defendants  
20 SEMPRA ENERGY, SOUTHERN  
21 CALIFORNIA GAS COMPANY and SAN  
22 DIEGO GAS & ELECTRIC COMPANY

23 IT IS SO ORDERED:

24 DATED: **JUL 27 2005**  
25 \_\_\_\_\_, 2005



26 THE HONORABLE RONALD S. PRAGER  
27 Coordination Trial Judge, Superior Court  
28 San Diego County, State of California

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4. The parties reserve the right to conduct further discovery, as necessary.

DATED: July 21, 2005

QUINN EMANUEL URQUHART  
OLIVER & HEDGES, LLP

CHRISTOPHER TAYBACK  
RYAN G. BAKER

By: 

Ryan G. Baker

Attorneys for Plaintiff THUMS LONG BEACH  
COMPANY

DATED: July 21, 2005

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By:  (DAC)

James P. Fogelman

Attorneys for Defendants  
SEMPRA ENERGY, SOUTHERN  
CALIFORNIA GAS COMPANY and SAN  
DIEGO GAS & ELECTRIC COMPANY

IT IS SO ORDERED:

DATED: \_\_\_\_\_, 2005

THE HONORABLE RONALD S. PRAGER  
Coordination Trial Judge, Superior Court  
San Diego County, State of California

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